

Regulatory Language

Section 150.18. Use of traps to take nearshore fish stocks.

The use of finfish traps to take nearshore fish stocks as described in Section 1.90, Title 14, CCR, shall be subject to the following limitations:

(a) At least one person aboard the vessel must possess either a valid nearshore fishery permit and nearshore fishery trap endorsement issued pursuant to sections 150 and 150.03, Title 14, CCR, or valid deeper nearshore species fishery permit issued pursuant to Section 150.02, Title 14, CCR, and possess a valid general trap permit issued pursuant to Fish and Game Code Section 9001 that has not been suspended or revoked when taking nearshore fish stocks as defined in Section 1.90, Title 14, CCR.

(b) Lobster may be possessed aboard or landed from any vessel for commercial purposes on which nearshore fish stocks, as defined in Section 1.90, Title 14, CCR, are also present only if the following conditions are met:

(1) At least one person aboard the vessel must possess either a valid nearshore fishery permit and trap endorsement issued pursuant to sections 150 and 150.03, Title 14, CCR, or valid deeper nearshore species fishery permit issued pursuant to Section 150.02, Title 14, CCR, and possess a valid general trap permit issued pursuant to Fish and Game Code Section 9001 that has not been suspended or revoked.

(2) Every person on board must possess either a valid lobster operator permit or lobster crewmember permit issued pursuant to Fish and Game Code Section 8254 and Section 122, Title 14, CCR, that has not been suspended or revoked and is in compliance with Fish and Game Code Chapter 4, Article 1 and Chapter 2, Article 5 (commencing with Section 8250) and the regulations adopted pursuant to these articles.

(c) Bait.

(1) Lobster shall not be used as bait in finfish traps pursuant to Fish and Game Code Section 9001.6.

(2) Crabs of the genus cancer, except rock crab, yellow crab, and red crab, as identified in Section 125, Title 14, CCR, cannot be used as bait.

(3) Individuals taking rock crab to be used as bait in finfish traps are subject to the provisions of Section 125, Title 14, CCR.

(d) During the period from one hour after sunset to one hour before sunrise, finfish traps that are left in the water shall be unbaited with the door secured open. If, for reasons beyond the control of the permittee, all trap doors cannot be secured open prior to one hour after sunset, the permittee shall immediately notify the department.

(e) Finfish trap construction.

(1) Timed buoy release mechanisms commonly termed "popups" shall not be used on buoy lines attached to finfish traps.

(2) Pursuant to Fish and Game Code Section 9005, every trap or string of traps must be marked with a buoy. The buoy must bear the commercial fishing license identification number of the nearshore fishery permit holder or deeper nearshore species fishery permit holder, followed by the letter "Z". The method of marking the buoy shall conform to Section 180.5, Title 14, CCR when taking finfish, mollusks or crustaceans for commercial purposes.

(3) Pursuant to Fish and Game Code Section 9003, every trap shall have at least one destruction device. Trap destruction devices used on finfish traps that take nearshore fish stocks, as defined in Section 1.90, Title 14, CCR, shall conform to Section 180.2, Title 14, CCR.

(4) The use of metal rings in finfish traps used to take nearshore fish stocks, as defined in Section 1.90, Title 14, CCR, shall conform to Section 180.4, Title 14, CCR.

(5) The mesh of any finfish trap used to take nearshore fish stocks, as defined in Section 1.90, Title 14, CCR, shall not measure less than two inches by two inches.

(f) No finfish trap used to take nearshore fish stocks, as defined in Section 1.90, Title 14, CCR, shall be set within 750 feet of any pier, breakwall, or jetty in District 6, 7, 17, 18, 19, 19A, 19B, 20, 20A, 20B, or 21.

(g) No more than 50 finfish traps used to take nearshore fish stocks, as defined in Section 1.90, Title 14, CCR, may be set in state waters along the mainland shore.

(h) Pursuant to Fish and Game Code Section 9004, every trap shall be raised, cleaned, serviced, and emptied at regular intervals.

Notes:

Authority: Sections 7071, 8282, 8500, and 8587.1, Fish and Game Code.

Reference: Sections 7071, 7850, 8254, 8282, 8500, 8585.5, 8587, 8587.1, 9001, 9001.5, 9001.6, 9001.7, 9003, 9004, 9005, and 9006, Fish and Game Code.